

ISLAMORADA VILLAGE OF ISLANDS

AGENDA



REGULAR VILLAGE COUNCIL MEETING

January 24, 2013

5:30 PM

Islamorada Founders Park Community Center
87000 Overseas Hwy,
Islamorada, FL 33036

VILLAGE COUNCIL

Ken Philipson, Mayor
Ted Blackburn, Vice Mayor
Mike Forster, Councilman
Deb Gillis, Councilwoman
Dave Purdo, Councilman

Edward Koconis, AICP, Village Manager
Ariana S. Lawson, Village Clerk
Nina Boniske, Village Attorney

Our Mission:

- λ to Protect the Resident's Right to Quiet Enjoyment of Life
- λ to Plan for Enhancing Our "Village" Character
- λ to Preserve Our Community: Its People, Natural Resources, and Pride
- λ to Provide Basic Services to Support Our Quality of Life



**ISLAMORADA, VILLAGE OF ISLANDS
REGULAR VILLAGE COUNCIL MEETING**

**Founders Park Community Center
87000 Overseas Hwy
Islamorada, FL 33036
January 24, 2013
5:30 PM**

I. CALL TO ORDER\ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PRESENTATIONS AND ANNOUNCEMENTS

- A. Presentation of Refund by the Monroe County Sheriff's Office for FY 11-12 Law Enforcement Services (Captain Corey Bryan)

IV. PUBLIC COMMENT

V. AGENDA: Request for Deletion / Emergency Additions

VI. CITIZENS' ADVISORY COMMITTEE UPDATES

- A. Local Planning Agency – Chair John Fernandez
- B. Near Shore Water Regulation Citizens' Advisory Committee – Chair Bob Mitchell
- C. Solid Waste Services Citizens' Advisory Committee – Chair Dave Boerner

VII. VILLAGE MANAGER REPORTS AND UPDATES

- A. Proposed Gate at Gimpy Gulch
- B. Vacation Rental enforcement
- C. Direction Regarding Tax Exemption for Qualified Seniors / Constitutional Amendment Article VII, Section 6

VIII. CONSENT AGENDA

(All items on the Consent Agenda are considered routine by the Village Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which event, the item will be moved to the Main Agenda.)

IX. ORDINANCES

- A. First Reading –Comprehensive Plan Text Amendment for U.S. 1 Transportation Concurrency TAB 1**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY MODIFYING PROVISIONS TO THE TRANSPORTATION ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

- B. First Reading – Land Development Regulations Text Amendment for U.S. 1 Transportation Concurrency TAB 2**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “ADMINISTRATIVE PROCEDURES,” DIVISION 5 “CONCURRENCY MANAGEMENT SYSTEM” OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

- C. First Reading – Land Development Regulations Text Amendment to Off-Street Parking, Loading and Driveways Standards TAB 3**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE V “SCHEDULE OF DISTRICT USE AND DEVELOPMENT STANDARDS,” DIVISION 7 “OFF-STREET PARKING, LOADING AND DRIVEWAY STANDARDS” OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

- D. First Reading – Proposed Code Amendment to Update Sea Turtle Nesting Protection Regulations, Standards and Related Definitions

TAB 4

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS”, SECTION 30-32 “SPECIFIC DEFINITIONS;” AND ARTICLE VII “ENVIRONMENTAL REGULATIONS,” DIVISION 3 “SEA TURTLE NESTING PROTECTION” OF THE VILLAGE CODE AMENDING PROVISIONS RELATED TO PROTECTION OF SEA TURTLES; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

- E. First Reading – Ordinance Amending the Comprehensive Plan to Exempt Nonresidential Development from the BPAS

TAB 5

Item deferred by Village Manager

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, DELETING POLICIES 1-2.1.3 “PROVIDE COMPLIANCE BONUSES THROUGH PERMITTING OUTDOOR USES OUTSIDE OF THE BUILDING PERMIT ALLOCATION SYSTEM” AND 1-2.8.2 “PUBLIC FACILITIES EXEMPTION FROM BUILDING PERMIT ALLOCATION SYSTEM” AND FURTHER AMENDING OBJECTIVE 1-3.1 “IMPLEMENT LIMITED GROWTH OBJECTIVES AND POLICIES” AND POLICIES 1-2.1.12 “ENSURE ENERGY-EFFICIENT LAND USE PATTERNS”, 1-3.1.1 “ESTABLISH A BUILDING PERMIT ALLOCATION SYSTEM (BPAS)”, 1-3.1.3 “INSTITUTE A PROGRAM FOR TRANSFER OF DEVELOPMENT RIGHTS (TDRS)” AND 1-4.2.1 “IMPLEMENT COMPREHENSIVE PLAN THROUGH LAND DEVELOPMENT REGULATIONS” ALL WITHIN THE FUTURE LAND USE ELEMENT OF THE VILLAGE COMPREHENSIVE PLAN; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

- F. First Reading – Ordinance Amending Chapter 30 “Land Development Regulations” of the Village Code to Exempt Nonresidential Development from the BPAS **TAB 6**

Item deferred by Village Manager

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING CHAPTER 30 “LAND DEVELOPMENT REGULATIONS,” ARTICLE II “RULES OF CONSTRUCTION AND DEFINITIONS,” SECTION 30-32 “SPECIFIC DEFINITIONS;” ARTICLE IV “ADMINISTRATIVE PROCEDURES,” DIVISION 11 “BUILDING PERMIT ALLOCATION SYSTEM” AND DIVISION 12 “TRANSFER OF DEVELOPMENT RIGHTS” OF THE VILLAGE CODE AMENDING PROVISIONS RELATED TO THE ALLOCATION OF NONRESIDENTIAL FLOOR AREA; PROVIDING FOR THE REPEAL OF ALL CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE STATE DEPARTMENT OF ECONOMIC OPPORTUNITY

- G. First Reading – Future Land Use Map (FLUM) Amendment **TAB 7**
FLRZ-12-03 for 88041 Old Highway

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY KURT WESTMAN TO AMEND THE *FUTURE LAND USE MAP* FROM MARICULTURE (M) TO RESIDENTIAL LOW (RL) FOR A 5.16 AC PARCEL LOCATED AT 88041 OLD HIGHWAY, NEAR MILE MARKER 88 OCEAN-SIDE, PLANTATION KEY WITH THE REAL ESTATE NUMBER 00415010-000100 AND FURTHER DESCRIBED IN EXHIBIT “A;” PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

X. QUASI-JUDICIAL

- A. First Reading – Official Zoning Map Amendment FLRZ-12-03 for 88041 Old Highway **TAB 8**

AN ORDINANCE OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CONSIDERING THE REQUEST BY KURT WESTMAN TO AMEND THE *OFFICIAL ZONING MAP* FROM MARICULTURE (M) TO RESIDENTIAL ESTATE (RE) FOR A 5.16 ACRE PARCEL LOCATED AT 88041 OLD HIGHWAY, NEAR MILE MARKER 88 OCEAN-SIDE, PLANTATION KEY WITH THE REAL ESTATE NUMBER 00415010-000100 AND FURTHER DESCRIBED IN EXHIBIT “A;” PROVIDING FOR THE TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS ORDINANCE BY THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

XI. RESOLUTIONS

- A. Proposal for CityView 2012 Enterprise Application Upgrade **TAB 9**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE PROPOSAL BETWEEN CITYVIEW, A DIVISION OF HARRIS COMPUTER SYSTEMS AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE THE CITYVIEW 2012 SOFTWARE UPGRADE, INCLUDING DATA CONVERSION, REMOTE DATA VERIFICATION ASSISTANCE AND STAFF TRAINING; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PROPOSAL; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE PROPOSAL; PROVIDING FOR WAIVER OF PURCHASING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE

XII. MOTIONS

XIII. WASTEWATER MATTERS

- A. Monthly Project Report for the Period 12/03/12 thru 12/31/12 **TAB 10**

- B. Resolution Approving Change Order No. 1 to the Design Build and Operate (DBO) Agreement between Reynolds Water Islamorada, LLC and Islamorada, Village of Islands to Provide a Pavement Survey and Evaluation Program for North Plantation Key and Middle Plantation Key** **TAB 11**

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING CHANGE ORDER NO. 1 TO THE DESIGN BUILD AND OPERATE (DBO) AGREEMENT BETWEEN REYNOLDS WATER ISLAMORADA, LLC AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE A PAVEMENT SURVEY AND EVALUATION PROGRAM FOR NORTH PLANTATION KEY AND MIDDLE PLANATION KEY; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE CHANGE ORDER; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE

XIV. MAYOR / COUNCIL COMMUNICATIONS

XV. VILLAGE ATTORNEY / VILLAGE MANAGER COMMUNICATIONS

XVI. ADJOURNMENT

A limited number of agendas will be available for the public at the time of the meeting. The agenda and backup documentation may be viewed and printed from the Village website at www.islamorada.fl.us as early as the Monday prior to the meeting.

These meetings are open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Administrative Center and Public Safety Headquarters at 664-6412 at least 48 hours before the scheduled meeting.

Anyone wishing to appeal any decision made by the Islamorada Village Council with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

All video, computer or technical devices that will be used at Council meetings must be given to the Village Clerk 48 hours prior to the meeting.

Anyone giving out documents during public comment shall provide a minimum of 15 copies to the Village Clerk prior to the start of the meeting.

Two or more committee members from various Village Committees may be present at this meeting.